

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
EASTERN DIVISION

Lakiesha Cross, <i>as parent and natural</i>	)	
<i>guardian of S.C., a minor</i> ; Earlene	)	
Dunbar; Ernest Sprueill; Erica Higgins-	)	
Ingram; and Lynette Blake, individually	)	
and on behalf of all those similarly	)	
situated,	)	
	)	
Plaintiffs,	)	Civil Action No.
	)	4:19-cv-00007-FL
v.	)	
	)	
Ciox Health, LLC,	)	
	)	
Defendant.	)	
_____	)	

**Defendant Ciox Health LLC's Rule 12(b)(1) Motion to Dismiss**

Defendant Ciox Health, LLC (“Ciox”), through its undersigned attorneys, moves this Court to dismiss Plaintiffs' Amended Complaint (D.E. 20) for lack of subject matter jurisdiction. Fed. R. Civ. P. 12(b)(1). For the reasons given more particularly in Ciox's Memorandum in Support of its Motion to Dismiss, filed contemporaneously herewith, the Court should dismiss the Amended Complaint, and each claim alleged therein.

Respectfully submitted, this the 10th day of May, 2019.

/s/Donalt J. Eglinton

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CERTIFICATE OF SERVICE

I hereby certify that on May 10, 2019, I electronically filed the foregoing DEFENDANT CIOX HEALTH LLC'S RULE 12(B)(1) MOTION TO DISMISS with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following CM/ECF participants: Christopher C. Kessler, Esq., Eric N. Linsk, Esq., J. Olin McDougall, II, Esq., and Robert K. Shelquist, Esq.

/s/Donalt J. Eglinton

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